



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

APR 15 2015

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Frank Coffey  
General Manager  
Brightsmith Coil Coaters  
120 Enterprise Avenue  
Morrisville, PA

Dear Mr. Coffey:

The United States Environmental Protection Agency (EPA) hereby requires Brightsmith Coil Coaters (Brightsmith) to provide certain information as part of an EPA investigation to determine the Clean Air Act (CAA or the Act) compliance status of the metal coil coating facility, located in Morrisville, PA (the Facility).

Pursuant to Section 114(a) of the CAA, 42 U.S.C. Section 7414(a), the Administrator of EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as she may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act. In order for EPA to determine whether a violation has occurred, you are hereby required, pursuant to Section 114(a) of the CAA, to provide responses to the following questions and requests for information regarding your gas processing plant. Therefore, you are hereby required to respond to questions and requests for information in Enclosure 2 within the time period specified. (See Enclosure 1 for instructions and definitions). All information submitted in response to this request must be certified as true, correct, accurate and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Brightsmith. On the last page of your response(s) to this Questionnaire, please include the certification contained in Enclosure 3.

Failure to provide the required information may result in the issuance of an Order requiring compliance with the requirements, or the initiation of a civil action pursuant to Section 113(b) of the Act, 42 U.S.C. Section 7413(b). In addition, Section 113(c)(2) of the Act provides that any person who knowingly makes any false material statement, representation, or certification in, or omits material information from any document required pursuant to this Act shall upon conviction be punished by a fine pursuant to Title 18 of the United States Code, or by imprisonment for not more than two years, or both. The information you provide may be used by EPA in administrative, civil and criminal proceedings.



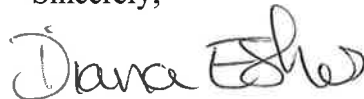
You are entitled to assert a business confidentiality claim, covering all or part of the information which this letter requires, except that no such claim can be made with respect to emission data as defined at 40 C.F.R. Section 2.301(a)(2) (Enclosure 4). Any such claim should be made in accordance with the procedures described at 40 C.F.R. Section 2.203(b). EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. EPA may provide the public with any information not subject to such a claim without further notice. The required submission of information pursuant to Section 114 is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501, et seq.

EPA requires Brightsmith to submit the information requested in Enclosure 2 no later than thirty (30) calendar days after receipt of this letter. EPA requires that Brightsmith report any changes or revisions to the information supplied within seven (7) days after the change or revision is made. This requirement to provide EPA with changed or revised information shall remain in effect until EPA provides Brightsmith with written notice of its termination. Please submit your response to this request to:

Ms. Zelma Maldonado, Associate Director  
U.S. Environmental Protection Agency Region III  
Office of Air Enforcement & Compliance Assistance (3AP20)  
1650 Arch Street  
Philadelphia, PA 19103-2029

If you have any questions regarding this information request, please contact either Bruce Augustine (215) 814-2131 or Chip Hosford (215) 814-3158 of the Air Protection Division

Sincerely,

A handwritten signature in dark ink, appearing to read "Diana Esher", written in a cursive style.

Diana Esher, Director  
Air Protection Division

cc: hiyer@pa.gov



## **ENCLOSURE 1**

### **A. INSTRUCTIONS**

1. Please provide a separate narrative response to each question and subpart of a question set forth in this Information Request.
2. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
3. Provide as much information possible to completely answer each question. This includes all supporting documentation, such as performance test reports, inspection records, memorandums, facility records, etc. Failure to completely respond to any questions may increase the time necessary to determine compliance with all applicable regulations.
4. For each document provided in response to these questions, provide an accurate and legible copy, which can be used to determine the completeness of this request. For any information submitted electronically, clearly label to which question(s) the data is responsive.
5. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
6. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

### **B. DEFINITIONS**

1. All terms used in the Information Request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7411 or § 7412 or 40 C.F.R. Part 60.631.
2. “EPA Region III” is defined as the geographic area containing the states of Maryland, Delaware, and West Virginia, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.<sup>9</sup>
3. For the purpose of this request for information, the term “facility” shall mean the metal coil coating facility located in Morrisville, PA.



## ENCLOSURE 2

1. Provide a copy of the current net worth (US Dollars) for Brightsmith Coil Coaters. In addition, provide the name of any parent companies and the percentage of ownership they have in Brightsmith.
2. Submit copies of all thermocouple calibration records for the two thermal oxidizers that may have been conducted from January 1, 2011 through the date of this request. Furthermore, provide the date(s) that any thermocouples were replaced in that same time period and the reason for the replacement. Provide, in a spreadsheet, copies of the prime and finish coating oxidizer monitoring temperatures for calendar years 2011-2013. The temperatures should be averaged over a one (1) hour period. The spreadsheet should also identify whether each coating operation is engaged in coating or not operating.
3. Provide daily coating logs for calendar years 2011-2013 which include the individual coatings used, VOC lb/gal, and number of gallons used for each coating.
4. Provide daily usage logs for Chemetall Oaktite Permatreat® 1500 from 2011-2014. This should include the amount of treatment (gallons) used on each day. In addition, provide the daily usage of any other pretreatment chemicals used at the facility over the same time period.
5. In Brightsmith's April 6, 2015 response to EPA's inspection report, Brightsmith indicated that any period where the instances identified where the prime oxidizer operated below 1400°F a non-VOC pretreatment product was being used. Please provide further explanation as to when this coating is used and on what products specifically. Also, provide an explanation as to why the prime coating operation would be "engaged" if coating isn't taking place at the prime coating rollers during the use of the pretreatment product? According to the daily coating logs for 2014 provided during the inspection, there are several days where VOC containing prime coating were used and the prime oxidizer temperature was <1400°F.
6. For each emission source at the facility, provide the actual VOC and hazardous air pollutant emissions (by pollutant) for calendar years 2011-2014. Provide detailed calculations documenting the emissions which include the emission factor(s) used and the derivation of each factor. The emission calculations should include, but not be limited to, the prime and finish coating applications, solvent clean-up, wastewater treatment plant (WWTP), the chrome batch tank, and the wet cleaning tanks.
7. Provide a process flow diagram and detailed operating description of the WWTP. The diagram and description should highlight each emission source and control device. Also, provide throughput records for the WWTP on a monthly basis for 2011-2014.
8. Provide a detailed description of how material is removed and either recycled or sent to the WWTP for disposal from the wet cleaning tanks. This should include the use of the open pits used to reclaim oil or other solvents. Identify if the potential emissions from the pits are included in the actual emissions provided in response to Question 6. If the emissions from these sources is not included in response to Question 6, please provide an emissions estimate for the pits and WWTP.





9. Identify the date the WWTP commenced operation at the facility and provide a copy of any NPDES or permit to discharge that has been issued to the facility.
10. Identify the capture efficiency (%) that Brightsmith is claiming at the finish coating area. Provide any documentation that supports this claim.
11. Provide copies of any and all Clean Air Act permit applications submitted to PADEP since 2010



**ENCLOSURE 3:**

**STATEMENT OF CERTIFICATION**

[This Certification is for signature by the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or another executive with authority to perform similar policy or decision-making functions of the corporation.]

Brightsmith is submitting the enclosed documents in response to the U.S. Environmental Protection Agency's ("EPA") request for information, issued pursuant to Section 114(a) of the Clean Air Act, to determine whether the facility is in compliance with the Clean Air Act, including New Source Review Standards.

I certify that I am fully authorized by Brightsmith to provide the above information on its behalf to EPA.

I certify under penalty of law that I have personally examined and am familiar with the statements and information submitted in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, correct, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, or omitting required statements and information, including the possibility of fines and imprisonment for knowing violations.

Date: \_\_\_\_\_

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



## **ENCLOSURE 4:**

### **Confidential Business Information (CBI) Assertion and Substantiation Requirements**

#### **A. Assertion Requirements**

You may assert a business confidentiality claim covering all or part of the information requested in response to this information request, as provided in 40 C.F.R. Section 2.203(b). You may assert a business confidentiality claim covering such information by placing on (or attaching to ) the information you desire to assert a confidentiality claim, at the time it is submitted to EPA, a cover sheet, stamped, or typed legend (or other suitable form of notice) employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA. If you desire confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

#### **B. Substantiation Requirements**

All confidentiality claims are subject to EPA verification in accordance with 40 C.F.R. Part 2, Subpart B. The criteria for determining whether material claimed as confidential is entitled to such treatment are set forth at 40 C.F.R. Sections 2.208 and 2.301, which provide, in part, that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent; and the disclosure of the information is likely to cause substantial harm to your business's competitive edge.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible, in accordance with 40 C.F.R. 2.204(e).

1. What specific portions of the information are alleged to be entitled to confidential treatment? For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your responses?



3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not to release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. Section 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B.

Emission data means, with reference to any source of emission of any substance into the air:

(A) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

(B) Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

(C) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. Sections 2.301(a)(2)(i)(A), (B), and (C).

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination.





If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

